

# MILITARY BUS AGREEMENT ADDENDUM

EFFECTIVE 1 OCTOBER 1998  
STANDARDS OF SERVICE FOR  
COMPANIES OPERATING  
NON-COMMERCIAL  
MOTOR VEHICLES IN  
DOD PASSENGER SERVICE

25 SEP 98

MTOP-Q  
MEMORANDUM FOR  
DEPARTMENT OF DEFENSE TRANSPORTATION OFFICES LOCATED IN THE  
CONTINENTAL UNITED STATES  
VAN AND LIMOUSINE COMPANIES OFFERING PASSENGER SERVICE TO THE  
DEPARTMENT OF DEFENSE

**SUBJECT:** The Addendum to the Military Bus Agreement, Number 4

1. On October 1, 1998, the Military Traffic Management Command's new passenger carrier addendum will become effective. The Military Bus Agreement (MBA) Addendum outlines the procedures for qualifying van and limousine carriers transporting less than 16 passengers for the Department of Defense (DOD). The addendum applies to transportation movements sponsored and purchased by DOD transportation offices and their entities. Carriers directly compensated by the DOD or its entities for passenger services, or carriers required for use by a DOD office, are eligible for MBA addendum approval.
2. The MBA Addendum applies in conjunction with the MBA to specifically meet the DOD's need for non-commercial motor vehicle (CMV) service providers. The addendum better defines the service specifications applicable to non-CMV carriers apart from the current motorcoach requirements.
3. Van and limousine carriers applying for MBA approval on or after October 1, 1998, will qualify under the MBA Addendum. Call 703-428-3270, for any question regarding the MBA and the addendum.

/signed/  
WILLIAM G. BALKUS  
COL, GS  
ADCSOPS, Quality

MILITARY BUS AGREEMENT ADDENDUM:  
STANDARDS OF SERVICE FOR COMPANIES OPERATING  
NON-COMMERCIAL MOTOR VEHICLES

Introduction

The Military Bus Agreement Addendum (MBAA) outlines the policies and procedures for carriers providing passenger van and limousine service for the Department of Defense (DOD). The criteria set forth in this addendum are the standards for ensuring carriers' services are in accordance with established DOD authorized entitlements. The Defense Transportation Regulation Part 1, Passenger Movement (DOD 4500.9-R) states that the Headquarters, Military Traffic Management Command (MTMC) is the approving authority for ground passenger carrier service. The regulation further states that only DOD-approved bus (van and limousines) companies, with agreements on file with MTMC, will be used for DOD sponsored passenger moves.

Approved Military Bus Agreement (MBA) carriers appear on the MTMC bus (motorcoach), van and limousine carriers list. Transportation Offices and offices arranging DOD sponsored passenger travel reference the list for arranging transportation within their routing authority.

Van and limousine carriers interested in applying to the program should review the MBAA procedures under Carrier Application. The addendum coincides with the MBA requirements and is applicable when motorcoach requirements do not apply. The Service Contract Act of 1998 continues to apply.

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### Definition

Limo/Van Carriers or non-CMV—Non-Commercial Motor Vehicle (CMV) operators or carriers operating motor vehicles authorized by state or federal authorities to transport no more than 15 passengers, the driver and the passengers' baggage.

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### Carrier Application

Applicable carriers are required to have Military Bus Agreement approval to transport DOD passengers. Applicants must have a minimum of one year of active passenger transportation experience, and must submit the following information to MTMC's approving office:

- a. Signed Military Bus Agreement Signature Page (page iv);
- b. Carrier's operating authority, certificate or vehicle license. Deregulated state applicants must submit a notarized statement indicating that they meet all their state licensing requirements;
- c. Certificate of Insurance (Attachment 3). This form must be notarized. The carrier's insurance underwriter may submit the ACORD certificate of insurance form for MTMC's information;
- d. List of the carrier's personnel to be contacted for transportation arrangements and information (Attachment 4);
- e. Complete inventory list of the carrier's equipment (Attachment 5);
- f. Signed copy of the Certification Regarding a Drug/Alcohol-Free Workplace (Attachment 6);
- g. Complete and signed copy of the Statement of Common Financial or Administrative Control. All carriers must notify MTMC of their affiliation with other passenger transportation carriers (Attachment 7);
- h. Standard Carrier Alpha Code (SCAC) assigned by the National Motor Freight Traffic Association (NMFTA) included with the application. To obtain a SCAC, contact the NMFTA at 703-838-1832.
- i. A financial statement certified by the company Chief Executive Officer, President or owner to include company certified balancesheets and income statements for the last taxable year.

## MBAA Exclusions

The following transportation categories do not need prior MTMC approval to transport DOD passengers, unless specifically requested by a DOD activity or installation. The absence of the requirement does not negate passenger carriers from providing proficient transportation services. Transportation offices may reject any passenger transportation service that does not appear to meet acceptable standards of safe and quality service.

- Van and taxi carriers receiving direct transportation compensation from the passengers only, and no direct payments from a DOD office (including MWR sponsored travel services).
- Transportation provided by vehicles owned and operated by hotels and motels, for transportation to and from the hotel or motel, airports, and the passengers' business destinations. This definition excludes contracted transportation services, whose operations are not controlled by the hotel or motel.

## GENERAL PROVISIONS OF THE ADDENDUM

### Ownership

A common practice among taxi operators is for the drivers to own vehicles that are operated under an authority, owned by another individual or company. In such cases, the parent company or individual vehicle owner must identify themselves and provide the required addendum information to MTMC to qualify for the MBA program.

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### Insurance

The owning company or individual, must provide evidence of vehicle insurance in accordance with the MBA; the requirement for vehicles seating 15 passengers or less is 1.5 million dollars. For those intrastate carriers not licensed by Federal Highway Administration (FHA), a current certificate of insurance must be filed with MTMC (Attachment 3). The MBA requires insurance companies to notify MTMC of instances of coverage cancellation, limits adjustments or implementation, or other significant changes, upon 30 days prior written notice. The Certificate of Insurance will be executed in every detail, notarized and submitted to HQ, MTMC, Attention: MTPP-IP, 200 Stovall Street, Alexandria, VA 22332-5000. All signatures must be original handwritten signatures. Rubber stamp impressions or facsimiles are not acceptable.

MTMC requires all approved carriers to have proof of insurance on all equipment. Nothing in this part or elsewhere in this agreement will be interpreted to limit or affect in any manner the common carrier's liability or other liability of the carrier.

In cases where the individual vehicle drivers maintain their own vehicle insurance coverage, the owner of the parent company is responsible for providing MTMC with a copy of all of their drivers insurance information. In addition, the owning company will maintain current insurance information on all of its' drivers to ensure against interruptions in coverage (cancellation, reduction in amount, etc.) or false information. Failure to maintain the required insurance will result in administrative action by MTMC.

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### **Maintenance**

Carriers must have in place a company program ensuring the systematic inspection and maintenance of all vehicles in the carrier's control. All parts and accessories must be in safe and reliable operating conditions at all times. This includes vehicles' brake system, hazard and warning signals, head lamps or lights, parking brake system, reflective material strip and tail lamps, turn signals and other accessories that may affect the safe operation of the vehicles.

Record retention—Carriers must keep vehicle inspection records in the location where the vehicles are maintained or garaged, for at least 1 year. The carrier is obligated to comply with the generally accepted standards for motorcoach operation and maintenance practices. As a minimum, the carrier shall comply with all provisions, applicable statutes and agreements which may affect safety, and with all Department of Transportation and State regulations, directives, orders, rules and standards. Compliance with published standards may not, standing alone, constitute compliance with generally accepted standards of operation, training or maintenance.

Vehicle Cleanliness—The cleanliness and orderliness of a vehicle may be a valid indicator of the overall maintenance level of the equipment, and have a direct effect on the security and confidence of the passengers. Therefore, the carrier's failure to keep equipment clean, orderly, and in a good state of repair, may be deemed as a failure to comply with generally accepted standards of maintenance. Using equipment that is not clean may erode the passengers' confidence in the safety of the equipment.

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### **Terms of Contract**

Carrier must define in writing or in a contract the relationship between the owner of the vehicle and the owner of the Operating Authority. The contract or written information must indicate the terms or payment arrangements established between the parties, for the operation of the vehicles. Carrier will provide MTMC with a copy of the information or contract, accordingly.

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## Employment

As a minimum, the owner of the Operating Authority is required to ensure that its' vehicle(s) owners or contractors, and their drivers are of reputable character, and are initially screened for control substances and alcohol misuse. Carriers are responsible for conducting background investigations to comply with Attachment 6 of the MBA.

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## Driver Qualification

The MBA uses the criteria for Commercial Motor Vehicle (CMV) operators requiring carriers to maintain driver files in accordance with Section 391.51, of the Federal Motor Carrier Safety Regulation, for reviewing driver qualifications. Non-CMV operators are expected to maintain their driver qualification files on a level similar to CMV operators, to ensure that their drivers are qualified to provide safe and reliable transportation services. Non-CMV operators files included the following:

- Driver Application
  - Medical examination and certificate of qualification
  - Annual review of drivers' driving record or other qualifications
  - List of annual violations (if any)
  - Drug/Alcohol testing requirements to include pre employment testing
  - Previous employment history
  - Investigation into previous driving record
  - Investigation into the drivers accident involvement
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## Vehicle Maintenance & Files

The agreement between the vehicle owner and the operator(s) should include the definition of who is responsible for vehicle maintenance. Also, agreements or written MTMC explanations of the drivers and operators contracts must include procedures for the following:

- Maintaining individual vehicle files containing copies of ship orders, PM records, repair orders, and inspections.
- Drivers completing daily vehicle inspection reports (reports must be retained for no less than 90 days).
- Annual vehicle inspection program including documenting the results in the owners maintenance files.



## Hours of Service

To guard against using fatigued drivers, operators must monitor the drivers' hours of service.

Owners and drivers are to adhere to the following conditions:

- Drivers/owners must maintain hours of service logs, time cards, trip, reports etc., to document hours of service.
  - Owners/drivers are not to drive more than 10 hours following 8 concurrent hours off duty, or for any time previously on duty for 15 hours, following 8 consecutive hours off duty. Drivers may drive an additional 2 hours to reach the passenger movement destination, or to reach a safe haven for the vehicle and passengers. Drivers are expected to closely adhere to this requirement.
  - Maintain records of drivers' hours for no less than 6 months.
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## Accidents

Operators are required to maintain accident records in the following manner:

- Maintain an accident register listing all accidents for a minimum of 2 years.
- Accident files include the information listed under item II-11 of the MBA for Accident Reporting.
- A file containing supporting documentation of all accidents listed on the Accident Register.
- A Loss-Run Report from the owner/driver's insurance underwriter.

Van and limousine (non-CMV) carriers must demonstrate and have in place a system of management and safety controls that functions effectively to ensure safe operations. Those controls can take the form of procedures designed specifically to ensure that the carrier's equipment is properly maintained, in a safe operation condition, and that drivers are qualified and trained in monitoring vehicle operations. Drivers should be of good character and not engaging in behaviors that could effect their ability to drive safely.

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## MBA Regulations

The MBA requirements stated in items II-3 through II-19, III-2, III-4 through III-10, IV-9 through 16, and IV-19 through IV-28, to pertain to non-CMV companies when appropriate.